

RAYMOND C. CABALLERO
MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

**REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
OCTOBER 29, 2002
9:00 A.M.**

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Luis G. Sariñana and Anthony Cobos. Absent: None. Representative Paul J. Escobar arrived at 9:50 a.m. Meeting was called to order and the invocation was given by Pastor Skip Hodges of St. Luke United Methodist Church, followed by the Pledge of Allegiance to the Flag of the United States of America.

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No action was taken on the discussion and action on: Mr. Caballero, City Representatives, a while ago, when Mr. Ramirez was the Mayor, City Council acted upon my suggestion to change Executive Drive to Dr. Mario Palafox, instead they choose to name a new street or avenue. [Leopoldo Sierra]

Mr. Leopoldo Sierra, citizen, asked Council to rename Executive Drive to Dr. Mario Palafox.

Representatives Sumrall and Sariñana made remarks.

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No action was taken on the discussion of the City Council's intent when it raised the cost of parking meters, 10 hour meters, on Ochoa and Virginia from \$1.00 per day to \$5.00 per day. Severe impact on County and Federal employees. [Janet Weber]

Ms. Janet Weber, citizen, made remarks about parking meter costs.

Mr. Daryl Cole, Street Director, provided explanation.

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No action was taken on the discussion on standards of responsiveness by the Mayor, Mayor Pro Tempore and City Council Representatives to constituent inquiries and phone calls. [Janet Weber]

Ms. Janet Weber, citizen, commented on the lack of returned telephone calls by City Representatives.

Mayor Ray Caballero apologized for lack of response to citizens' phone calls.

Representatives Sumrall and Cobos made remarks.

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Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried to delete the discussion and action to appoint a committee to oversee activity carried out by the Police Department; the Internal Affairs Unit. [Jimmy Washington]
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MAYOR'S PROCLAMATIONS

1. Award for Jose Carlos Escobar
2. 1st annual Frank Root Memorial Toy Run Week
3. Alpha Delta Kappa
4. Carly Martinez Race for Awareness Day
5. El Paso Regional Archives Week
6. Halloween Happiness Week

Motion made by Representative Medina, seconded by Representative Sariñana, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **JENNIFER HEARN** to assist the Information Technology Department as a PC Lan Specialist I, for 40 hours per week, at a biweekly rate of \$1,336.59. The term of the contract shall be for the period of October 30, 2002 through October 29, 2004. Contract subject to the approval of the City's Civil Service Commission.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Consent to Assignment Agreement by and between the **CITY OF EL PASO** and **MESA AND ASSOCIATES, INC.**, related to the Agreements for Engineering Services of both the **“Carpenter Addition Street and Drainage Improvements Phase I”** and the **“Knights Drive Extension Street and Drainage Improvements”** Projects.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a La Placita Agreement between the City of El Paso and Paseo Del Sol Ltd. Co. d/b/a La Zia to lease space within La Placita Shopping Mall in the Airport Terminal, El Paso, Texas effective November 1, 2002.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to purchase, on behalf of the City of El Paso, the following work identified further in Exhibit A: (Exhibit on file with this Resolution in the City Clerk's Office).

1. One (1) color lithograph by Ron Adams entitled *Blackburn* valued at \$1,200.00 at a purchase price of \$1,080.00 (with funds provided by the Robert U. and Mabel O. Lipscomb Foundation).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department (formerly Arts Resources Department) for the FY 2003 **Día De Los Muertos** event to be held on the grounds of the El Paso Museum of Arts' Festival Plaza and San Jacinto Plaza, Friday, November 1, 2002.

1. Adrian Terrazas; cost of \$120
2. Karruna Warren; cost of \$120

***RESOLUTION**

Be it resolved by the City Council of the City of El Paso:

That the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department for the **FY2003 Music Under the Stars World Festival**, to be held at the Chamizal National Memorial, as recommended by the Arts Resources Department's Advisory Board and staff.

1. Bobby Sanabria & Ascension; one performance on Sunday, June 1, 2003; cost \$13,348.
2. Fanfare Ciocarlia; one performance on Sunday, June 15, 2003; cost of \$11,000.
3. Plena Libre; one performance on Sunday, June 29, 2003; cost \$15,000.
4. Johnny Gimble and Texas Swing; one performance on Sunday, July 27, 2003; cost \$6,750.
5. Les Yeux Noir; one performance on Sunday, August 31, 2003; cost of \$8,000.

***RESOLUTION**

Be it resolved by the City Council of the City of El Paso:

That the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department for the **FY2003 Discovery Series**, to be held at the Chamizal National Memorial, as recommended by the Arts Resources Department's Advisory Board and staff.

1. Litz Alfonso Dance Cuba; one performance on Saturday, February 22, 2003; cost \$15,000.
2. O'Vertigo; one performance on Saturday, March 22, 2003; cost \$18,760.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department, to be funded through the FY2003 Direct Funding Program of the Arts and Culture Department as recommended by the Arts and Culture Department's Advisory Board and Staff and the City of El Paso Community and Human Development Department, Office of Accessibility.

	ACD	TCA	TOTAL
1. UTEP Art Department	\$ 4,630	\$ 3,205	\$ 7,835
2. UTEP Language & Linguistics Department	\$ 2,122	\$ 1,469	\$ 3,591
3. UTEP Music Department	\$ 2,539	\$ 1,675	\$ 4,214
4. UTEP Office of Special Events	<u>\$ 5,368</u>	<u>\$ 3,716</u>	<u>\$ 9,084</u>
TOTALS:	\$14,659	\$10,065	\$24,724

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Release Agreement between the City of El Paso ("City") and El Paso Natural Gas ("EPNG") pertaining to the release of copies of plans, drawings and specifications related to the building at 617 Texas Avenue and currently in the possession of EPNG.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to execute an agreement between the City of El Paso and United American Veterans Organization for the Veterans' Day Parade on November 9, 2002, which constitutes an important public purpose of benefit to the City and citizens of El Paso. The Agreement provides that the City will make available the necessary funds to cover the costs of the on-duty police traffic control assistance, not to exceed seventeen (17) on-duty police officers and seventeen (17) vehicles for the parade.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Deputy Mayor Pro Tem, having found in accordance with Section 13.32.040 of the El Paso Municipal Code that (1) the late filing was not due to a lack of diligence on the part of the applicant; and (2) the short notice does not unreasonably prejudice the City in preparing for the parade or temporary event, has approved the following parade permit, and that such approval is hereby ratified:

El Paso County Democratic Party for a political demonstration at the El Paso Times facility on Wednesday, October 23, 2002, from 9:00 a.m. until 7:00 p.m.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Attorney's Office is authorized to file a Motion to Intervene in Public Utility Commission of Texas proceeding styled *APPLICATION OF EL PASO ELECTRIC COMPANY FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) FOR A PROPOSED TRANSMISSION LINE WITHIN DOÑA ANA, EL PASO COUNTIES AND NEW MEXICO*, PUC Docket 26670.

Representative Sumrall expressed her concerns regarding high voltage wires.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

Representative Power abstained from the vote.

***RESOLUTION**

WHEREAS, the Federal Aviation Administration requires Airports to hold an exercise every three years to test and practice emergency response to a major airline disaster;

WHEREAS, this exercise is a requirement in order for the El Paso International Airport to retain its certification to handle large passenger and cargo carrying aircraft; and

WHEREAS, this exercise involves numerous resources, including but not limited to the El Paso Fire Department, the El Paso Police Department, Fire Medical Services Department, the American Red Cross, area hospitals, the University of Texas at El Paso, El Paso Independent School District, Ysleta Independent School District and other agencies that may be utilized in the event of a major airline disaster.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Department of Aviation be authorized to hold a Triennial Exercise on November 6, 2002 to test and practice its emergency response to a major airline disaster.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Ground Lessor Estoppel certifying the status of the six (6) ground leases described on Exhibit "A" attached hereto and incorporated herein by reference to Sealy Butterfield, L. P. ("Ground Lessee") and Wachovia Bank, National Association ("Lender").

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to Membership Agreement by and between the CITY OF EL PASO AND THE EL PASO ZOOLOGICAL SOCIETY to extend the term of such Membership Agreement through November 15, 2002.

The above Resolution was approved along with the following motion to postpone:

Motion made by Representative Sumrall, seconded by Representative Power and unanimously carried to postpone two (2) weeks the Resolution that the Mayor be authorized to sign a License Agreement between the CITY OF EL PASO and the EL PASO ZOOLOGICAL SOCIETY to establish, define and coordinate a mutually beneficial relationship to promote and support the programs and operations of the El Paso Zoo for a term of five years.

Resolution that the Mayor be authorized to sign an Amendment to Membership Agreement by and between the CITY OF EL PASO and the EL PASO ZOOLOGICAL SOCIETY to extend the term of such Membership Agreement through November 15, 2002.

Ms. Rita Rodriguez, City Attorney, explained the License Agreement for Council Members' information.

Motion made by Representative Sumrall, seconded by Representative Power and unanimously carried to approve the above Resolution as revised.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and Norman Gordon, to provide legal services regarding general utility matters applicable to the City.

Representative Cook questioned the contract with Mr. Gordon.

Ms. Rita Rodriguez, City Attorney, explained the \$125,000 budget for electric and gas rate review cases.

NOTE: Resolution was revised

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the above resolution.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Upper Rio Grande Workforce Development Area Interlocal Agreement between the City of El Paso and Counties of Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, and Presidio.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the following Housing Rehabilitation application and funding be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved application:

Application No.: H02-05-CD/IO/MP-0316	HOME Loan:	\$ 75,000.00
	HOME Grant:	\$ 58,500.00
	Total	\$ 133,500.00

Address: 1027 Magoffin Avenue (79901)
Interest at three percent (3%)

AND THAT the Mayor be authorized to sign a HOME Investor-Owned Financial Terms Contract between the City and Richard Hall, individually and on behalf of the Richard Thomas Hall Family Limited Partnership, and a Builder's and Mechanic's Lien Contract and Deed of Trust (With Power of Sale) between the City, Alpine Remodeling, Inc., and Richard Hall, individually and on behalf of the Richard Thomas Hall Family Limited Partnership, relating to Community Development Rehabilitation Loan Application No. H02-05-CD/IO/MP-0316.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City of El Paso approves the participation by the El Paso Fire Department in the 66th Annual Las Palmas & Del Sol Sun Parade to be held on November 28, 2002. The Fire Department will provide the 1948 Mack Fire Engine, the Fire Safety House, a new Fire Engine, "Reddy Teddy", "Sparky the Fire Dog", members from the ComSAR Team, Special Rescue 11, the Water Rescue, the HazMat team, and an ambulance (last rig in the parade).

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

JOINT RESOLUTION

WHEREAS, the City and County of El Paso, Texas have appointed Dr. Jorge C. Magaña as the health authority, as set forth in Chapter 121, V.T.C.A. Health and Safety Code, and

WHEREAS, the City and County have determined that it is in the best interests of the residents of the City And County of El Paso, Texas to make provisions for a second alternate health authority, in accordance with V.T.C.A. Health and Safety Code, §121.0451,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO AND THE COMMISSIONERS COURT OF THE COUNTY OF EL PASO, TEXAS THAT:

Upon taking the OATH OF OFFICE, M. Tai Lam, M.D., be and is hereby appointed Second Alternate Health Authority for the City and County of El Paso, Texas, for a term concurrent with that of the health authority, and he shall be entitled to act with the full authority of the health authority during the absence of the health authority and the alternate Health Authority for the City or County of El Paso, Texas.

Representative Cobos questioned if the City/County Health Board approved the appointment of Dr. Lam.

Dr. Magaña answered yes.

Mr. Charlie McNabb, Chief Administrative Officer, explained that Dr. Lam would be acting Director in the absence of Dr. Magaña.

*Motion made by Representative Cook, seconded by Representative Power and unanimously carried to approve the above resolution. Representative Sumrall was not present to vote.

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*Motion made, seconded and unanimously carried to postpone two (2) weeks the Resolution that the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **TERESA A. MCGLONE** to assist the Financial and Administrative Services Department as a Grants Writer, for 40 hours per week, at a biweekly rate of \$1,461.54. The term of the contract shall be for the period of November 4, 2002 through November 3, 2003.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **BRENDAN BOYD** to assist the Information Technology Department as a Programmer Analyst, for 40 hours per week, at a biweekly rate of \$1,538.46. The term of the contract shall be for the period of October 30, 2002 through October 29, 2004.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **GEORGE MUNOZ** to assist the Information Technology Department as a Programmer Analyst, for 40 hours per week, at a biweekly rate of \$1,538.46. The term of the contract shall be for the period of October 30, 2002 through October 29, 2004.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign an Exhibit Contract with Steven Rigby for an exhibit of "Star Wars Memorabilia" at the Clardy Fox Branch of the El Paso Public Library System for the period of November 1 through November 30, 2002. This exhibition is at no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign an Exhibit Contract with David A. Morales covering an exhibition of, "Fly Fishing Materials," at the Westside Branch of the El Paso Public Library System for the month of November, 2002. This exhibition is at no cost to the City.

*Motion made, seconded and unanimously carried to postpone one (1) week the Resolution that the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

PAVO REAL RECREATION CENTER

DEPARTMENT ID: 51510115, ACCOUNT 502214

1. CONTRACTOR: Gloria Q. Carrillo, Karate Instructor
 DATES: November 4, 2002, thru February 28, 2003
 RATE PER CL: \$9.50
 MAXIMUM AMT: \$503.50
 CONTRACT: 2002/2003-064

*RESOLUTION

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, ESPERANZA LILY CABRAL of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

7136 Dale Road, City of El Paso, El Paso County, Texas, being more particularly described as Lot 13 EXC S 30 FT (16875 SQ FT), Block 4, Stiles Gardens Subdivision, Parcel S658-999-0040-1200,

to be THREE HUNDRED THIRTY TWO AND 33/100 DOLLARS (\$332.33) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Sixth day of March, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of THREE HUNDRED THIRTY TWO 33/100 DOLLARS (\$332.33) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, BERNABE JIMENEZ of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

100 Keeney Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot 17 TO 19, Block A, Patterson Subdivision, Parcel P609-999-000A-4800,

to be ONE HUNDRED NINETY THREE AND 77/100 DOLLARS (\$193.77) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twenty First day of January 1999 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE HUNDRED NINETY THREE AND 77/100 DOLLARS (\$193.77) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with the YSLETA INDEPENDENT SCHOOL DISTRICT FOR LANCASTER MIDDLE SCHOOL, to lend it Six (6) 32 Gallon Containers for its recyclable materials generated at that location, in conjunction with the Department of Solid Waste Management's recycling program.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with the EL PASO COUNTY WATER AUTHORITY, to lend it Five (5) 4 Cubic Yard Dumpsters and Eight (8) 32 Gallon Containers for its recyclable materials generated at that location, in conjunction with the Department of Solid Waste Management's recycling program.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Sublease Agreement between the City of El Paso and the Sun Bowl Association to utilize a warehouse at 10823 Pellicano to build the City of El Paso Solid Waste Management's Las Palmas Del Sol Sun Bowl Parade float.

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*Motion made, seconded and unanimously carried to approve the request to fill the following position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:
Cashier II (2)

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*Motion made, seconded and unanimously carried to approve the request from Mario A. Ortega of the Solid Waste Management Department for Special Sick Leave.

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*Motion made, seconded and unanimously carried to re-appoint Rosa Dwyer to the Parks and Recreation Advisory Board by Representative Paul J. Escobar.

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*Motion made, seconded and unanimously carried to appoint Stephen M. Simon to the Charitable Solicitations Commission by Representative Daniel Power.

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*Motion made, seconded and unanimously carried to appoint Monica Davidson to the Parks and Recreation Advisory Board by Representative Jan Sumrall.

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*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

Twenty-six (26) lights at various locations as part of the Mesa Terrace Project, in the total amount of \$23,374.00 (\$899.00 per installation).

*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

1. Taxco Road between 7910 and 7912 Taxco Road, and between 7808 and 7810 Taxco Road.
2. Acapulco Road between 7705 and 7709 Acapulco Road on existing pole, and between 7765 and 7769 Acapulco Road.

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*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend the term of the agreement for one (1) additional year, from February 11, 2002 through February 10, 2003, pursuant to the provisions of contract 2002-050 with Traffic Parts, Inc., Conroe, TX, for Traffic Signal Components.

Option No.: ONE [OF ONE]
Expiration Date of Option: 02/02/2003.

Amount of Award: \$28,700.00 Annual Estimate.
Account Nos: 32010288-01101-503203
Funding Source: General Funds – Public Access – Maintenance/Repairs
Department: Streets

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*Motion made, seconded and unanimously carried to award Bid No. 2002-227 Traffic Lamps

Award to: Summit Electric Supply
El Paso, Texas
Item (s): All
Amount: \$26,024.00 (estimated annually)

Department: Street
Funds available: 32010288-01101-503203
Funding source: General Funds, Public Access – Maintenance & Repairs
Total award: \$26,024.00 (estimated annually)

Street Department and Purchasing Department recommend award as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a twenty-four (24) month contract with the no option to extend the term of this contract.

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Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2002-198
Walter Jones/George Perry Boulevard Landscaping Rebid.

Mr. Ray Gilbert, citizen, requested further information pertaining to the funding source.

Mr. Byron Johnson, Purchasing Director, noted that EPIA funds would be allocated for Bid No. 2002-198.

Motion made by Representative Escobar, seconded by Representative Sumrall and unanimously carried to award Bid No. 2002-198 Walter Jones/George Perry Boulevard Landscaping Rebid.

Contractor: Martinez Irrigation & Landscapes, Inc.
El Paso, Texas

Department: EPIA
Funds Available: 62620025-(P500021300-41030)-
(P500021500-41032)-508027
Funding Source: FY2003

Items:	Base Bid I	\$180,350.00
	Alternate No. 2	\$ 91,311.00
	Alternate No. 3	\$ 9,412.00
	Alternate No. 4	\$ 1,500.00
	Alternate No. 5	\$ 22,929.00
	Alternate No. 6	\$ 10,726.00
	Alternate No. 7	\$ 2,350.00
	Alternate No. 8	\$ 35,757.00
	Alternate No. 9	\$ 6,851.00
	Alternate No. 10	\$ 850.00
	Alternate No. 11	\$ 10,752.00
Total Award:		\$372,788.00

The Departments of Purchasing, Engineering, and El Paso International Airport recommend the award of this contract to Martinez Irrigation & Landscapes, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

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Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2003-004 Ladera Road Parkway Improvements.

Representative Cook questioned the funding source for Bid No. 2003-004

Mr. Byron Johnson, Purchasing Director, explained the funding source and stated that the Purchasing Department would elaborate further on the funding source descriptions in the future.

Motion made Representative Escobar, seconded by Representative Sumrall and unanimously carried to award Bid No. 2003-004 Ladera Road Parkway Improvements

Contractor: Karlsruhe, Inc. dba CSA Engineers and Constructors
El Paso, Texas

Department: Street Department
Funds Available: 71150069/G7127CD0028/07744/508027
Funding Source: CD FY 2002
Items: Base Bid I \$53,500.00
Alternate 1 \$28,000.00
Total Award: \$81,500.00

The Departments of Purchasing, Engineering and Street Department recommend the award of this contract to Karlsruhe, Inc. dba CSA Engineers and Constructors, the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

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 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-044
 PARKS & RECREATION

The budget transfer requests a new appropriation to fund new communications equipment, replace old tables and place the center name on the building. User Fees will pay for this.

Increase	\$4,200	to	51510198/P50022116321/407001	Intrafd Trf
Increase	\$4,200	to	51510198/P50022116321/508035	Comm
Increase	\$4,500	to	51510198/P50022116321/407001	Intrafd Trf
Increase	\$4,500	to	51510198/P50022116321/508009	Furn & Fixt
Increase	\$1,000	to	51510198/P50022116321/407001	Intrafd Trf
Increase	\$1,000	to	51010256/P50022101101/502226	Maint Cont
Increase	\$1,000	to	51510198/P50022116321/507000	Intrafd Trf
Increase	\$1,000	to	51010256/P50022101101/407000	Intrafd Trf

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-047
 PARKS & RECREATION

This budget transfer requests an appropriation increase to purchase new chairs for the Polly Harris Senior Center. Existing chairs are over 10 years old and unserviceable.

Increase	\$6,800	to	51510958/P50022816328/407001	Intrafd Trf
Increase	\$6,800	to	51510958/P50022816328/508009	Furn & Fixt

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-058
 PARKS & RECREATION

This budget transfer recognizes actual revenues from Parkland Dedication fees and appropriates money to be used for park construction within the same park zone as the development that generated the revenues. Parkland Dedication fees are paid by developers based upon City Ordinance.

Increase	\$ 600.00	to	51159242/P51800084816187/405060	Donations
Increase	\$ 600.00	to	51159242/P51800084816187/508004	Pub Use Fac
Increase	\$ 1,119.00	to	51159242/P51800082416163/405060	Donations
Increase	\$ 1,119.00	to	51159242/P51800082416163/508004	Pub Use Fac
Increase	\$ 300.00	to	51159242/P51800080416143/405060	Donations
Increase	\$ 300.00	to	51159242/P51800080416143/508004	Pub Use Fac
Increase	\$ 1,878.00	to	51159242/P51800013616110/405060	Donations
Increase	\$ 1,878.00	to	51159242/P51800013616110/508004	Pub Use Fac
Increase	\$ 600.00	to	51159242/P51800006516039/405060	Donations
Increase	\$ 600.00	to	51159242/P51800006516039/508004	Pub Use Fac
Increase	\$ 3,729.60	to	51159242/P51800013116105/405060	Donations
Increase	\$ 3,729.60	to	51159242/P51800013116105/508004	Pub Use Fac
Increase	\$ 894.00	to	51159242/P51800011916093/405060	Donations
Increase	\$ 894.00	to	51159242/P51800011916093/508004	Pub Use Fac
Increase	\$ 300.00	to	51159242/P51800015316127/405060	Donations
Increase	\$ 300.00	to	51159242/P51800015316127/508004	Pub Use Fac
Increase	\$17,100.00	to	51159242/P51800085916199/405060	Donations

Increase	\$17,100.00	to	51159242/P51800085916199/508004	Pub Use Fac
Increase	\$ 1,395.00	to	51159242/P51800014316117/405060	Donations
Increase	\$ 1,395.00	to	51159242/P51800014316117/508004	Pub Use Fac
Increase	\$ 1,707.00	to	51159242/P51800008316057/405060	Donations
Increase	\$ 1,707.00	to	51159242/P51800008316057/508004	Pub Use Fac
Increase	\$15,600.00	to	51159242/P51800085916199/405060	Donations
Increase	\$15,600.00	to	51159242/P51800085916199/508004	Pub Use Fac
Increase	\$25,200.00	to	51159242/P51800085816336/405060	Donations
Increase	\$25,200.00	to	51159242/P51800085816336/508004	Pub Use Fac

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-066

COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer establishes the Public Service Board budgets for the following construction projects: Arlen and Robert Dr., Collingsworth Phase IV, Olive Avenue, and Rivera Ave., Street and Drainage. All projects were designed in FY2002 and are to be constructed in FY2003.

Increase	\$ 32,825	to	71150065/G7127PS001711071/406002	Local Grt Proc
Increase	\$ 32,825	to	71150065/G7127PS001711071/508027	Construction
Increase	\$123,735	to	71150065/G7127PS003411072/406002	Local Grt Proc
Increase	\$123,735	to	71150065/G7127PS003411072/508027	Construction
Increase	\$ 71,723	to	71150065/G7127PS003011073/406002	Local Grt Proc
Increase	\$ 71,723	to	71150065/G7127PS003011073/508027	Construction
Increase	\$ 90,791	to	71150065/G7127PS002611070/406002	Local Grt Proc
Increase	\$ 90,791	to	71150065/G7127PS002611070/508027	Construction

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-067

COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer increases the Public Service Board budgets for the following construction projects: Wooldridge St., and Nichols Rd., Street and Drainage. The increase is required to meet the projected cost calculated by the PSB during the design phase. All projects were designed in FY2002 and are to be constructed in FY2003.

Increase	\$13,527	to	71150065/G7127PS002411067/406002	Local Grt Proc
Increase	\$13,527	to	71150065/G7127PS002411067/508027	Construction
Increase	\$19,789	to	71150065/G7127PS002311065/406002	Local Grt Proc
Increase	\$19,789	to	71150065/G7127PS002311065/508027	Construction

.....
 *Motion made, seconded and unanimously carried to approve the request of Church of God 7th Day to block off Cebada between Hueco and Montana on November 10, 2002 from 8:00 a.m. to 5:00 p.m. for a kermes. Approximately 20 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 02-166 [Mary Piñon/Felicita Garnica]

.....
 *Motion made, seconded and unanimously carried to approve the request of United American Veterans Organization to hold a veterans parade on November 9, 2002 from 10:00 a.m. to 1:00 p.m. Route: Start at Myrtle and Florence, proceed west to Kansas, turn south on Kansas, proceed on Kansas to Overland and turn west on Overland, proceed on Overland to El Paso then turn north on El Paso and proceed to Mills and turn east on Mills and proceed to Florence, turn south on Florence to Texas and disband. The reviewing stand will be located on the south side of San Jacinto Plaza on Mills Street. Staging areas to be used: Florence, Ochoa, Virginia, St. Vrain, and Angie, one block each side of Myrtle. Approximately 2,000 persons and 150 vehicles will take part and 2,500 spectators are anticipated. This request includes permission to use amplification (KBNA Radio Station across reviewing stand). PERMIT NO. 02-167 [Karen] Davis]

*Motion made, seconded and unanimously carried to approve the request of Armijo Center/Southside Agencies to block off Seventh & Florence between Campbell & Ochoa on October 31, 2002 from 6:00 p.m. to 8:30 p.m. for a safe Halloween block party. Approximately 2,000 persons will take part and 2,000 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (P.A. system, disco in library patio). PERMIT NO. 02-168 [Sandy Rodriguez]

.....
*Motion made, seconded and unanimously carried to approve the request of STARS - Sexual Trauma & Assault Response Services to hold a foot race/walk on November 2, 2002 from 8:30 a.m. to 10:30 a.m. Route: Start at Roxbury, west to River Bend, turn right, north to Sunset, turn left, west to Vista del Monte, turn right, north to Meadowlark, turn right, north to Camino Real, turn left, west to Montoya, turn left, south to Meadowlark, turn left, east to Vista del Monte, turn right, south to Sunset, turn left, east to River Bend, turn right, south to Perth, turn left, east to Sussex to Roxbury, turn left, finish in front of Pavilion. Approximately 800 persons will take part and 200 spectators are anticipated. PERMIT NO. 02-169 [Ari Medina]

.....
*Motion made, seconded and unanimously carried to approve the request of Texans for Quality Assessment to hold a demonstration on November 9, 2002 from 9:30 a.m. to 11:00 a.m. Route: Santa Fe sidewalk in front of the Art Museum. Approximately 100 persons will take part. PERMIT 02-174 [Elaine Hampton]

NOTE: Parade route was revised from "Route: Santa Fe sidewalk in front of Convention Center" to "Route: Santa Fe sidewalk in front of the Art Museum."

.....
Motion made, seconded and unanimously carried to move to the regular agenda the request of Citizens for Family Values to hold a protest on November 2, 2002 from 10:00 a.m. to 12:00 p.m. Route: Sidewalk at 6940 Gateway East. Approximately 40 persons will take part. PERMIT NO. 02-173 [Malcolm McGregor III]

Ms. Lisa Turner, citizen, commented on parade route.

Mr. John Nance, Assistant City Attorney, responded.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the request of Citizens for Family Values to hold a protest on November 2, 2002 from 10:00 a.m. to 12:00 p.m. Route: Sidewalk at 6940 Gateway East. Approximately 40 persons will take part. PERMIT NO. 02-173 [Malcolm McGregor III]

.....
*Motion made, seconded and unanimously carried to approve the request of Parks & Recreation - San Juan recreation Complex to block off Glenwood between Webster and Sambrano on October 31, 2002 from 6:00 p.m. to 8:30 p.m. for a safe Halloween block Party. Approximately 800 persons will take part. Barricades must be manned according the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (disco, 30 amp). PERMIT NO. 02-170 [Joe Rodriguez]

.....
*Motion made, seconded and unanimously carried to approve the request of Sacred Heart Church to block off Fr. Rahm between Oregon and Mesa on November 9, 2002 from 12:00 noon to 11:59 p.m. and November 10, 2002 from 7:00 a.m. to 10:00 p.m. for a Bazaar. Approximately 50 persons will take part and 150 spectators are anticipated at any one time. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (radio station van for live coverage-music). PERMIT NO. 02-171 [Fr. Rafael Garcia, S. J.]

*Motion made, seconded and unanimously carried to approve the request of National Assoc. of Letter Carriers Br. 505 to hold an informational picket on November 1, 2002 from 3:30 p.m. to 6:30 p.m. Route: Sidewalk in front of U.S. Post Office at 8401 Boeing. Approximately 75 persons will take part. PERMIT NO. 02-175 [David Salas]

.....
ORDINANCE 15265

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM (TAX RESALE) DEED FOR ALL THAT CERTAIN TRACT OF LAND BEING A PART OF WHAT IS KNOWN AS "TRACT 26-A" ON THE TAX ROLLS AND INCLUDING A TRACT FORMERLY DESIGNATED AND KNOWN ON THE TAX ROLLS AS "TRACT 26-L", ALL OF SAID PROPERTY BEING SITUATED IN SECTION 9, BLOCK 81, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD SURVEY, CITY OF EL PASO, EL PASO COUNTY, TEXAS**

Representatives Sumrall and Cook requested the property's location.

Ms. Carmen Perez, attorney for Delgado, Acosta, Spencer, Linebarger, Heard & Perez, LLP, provided information regarding property location and delinquent taxes.

There being no further public comment, the vote was taken.

Motion duly made by Representative Cook, seconded by Representative Power, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15266

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM (TAX RESALE) DEED FOR LOT 8, BLOCK 3, MONTECITO ADDITION, AN ADDITION IN THE CITY OF EL PASO, TEXAS**

Representatives Medina, Cook, Sariñana and Rodriguez commented.

Ms. Carmen Perez, attorney for Delgado, Acosta, Spencer, Linebarger, Heard & Perez, LLP, answered Council Members' questions.

There being no further comment, the vote was taken.

Motion duly made by Representative Sariñana, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15267

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 014775, WHICH CHANGED THE ZONING OF A PORTION OF SECTION 44, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS (11900 BLOCK OF RUFUS BRIJALVA DRIVE) FROM Q (QUARRY) TO R-3A (RESIDENTIAL) AND WHICH IMPOSED CERTAIN CONDITIONS, TO AMEND CONDITION THREE BY REVISING THE LANGUAGE TO ALLOW FOR EMERGENCY ACCESS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Power commented.

Ms. Patricia Adatao, Director of Planning, Research and Development, provided backup.

There being no further public comment, the vote was taken.

Motion duly made by Representative Power, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15268

The City Clerk read an Ordinance entitled: **ORDINANCE GRANTING SPECIAL PERMIT NO. SU-02015, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT WITH REDUCED SETBACKS ON TRACT 16L, BLOCK 36, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS (WINCHESTER BLVD. AND ALDERETE AVE.) PURSUANT TO SECTION 20.14.040 (ZONING) OF THE EL PASO MUNICIPAL CODE.**

Representatives Sumrall and Escobar commented.

Ms. Patricia Adatao, Director of Planning, Research and Development, provided backup

Motion duly made by Representative Escobar, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15269

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III – PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO REVISE AN EXISTING LOCATION ON CARNEGIE AVENUE, BOTH SIDES. THE PENALTY AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Power commented.

There being no further public comment, the vote was taken.

Motion duly made by Representative Power, seconded by Representative Sariñana, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15270

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV, SPEED LIMITS), OF THE EL PASO MUNICIPAL CODE, TO INCLUDE AN ADDITIONAL SECTION IDENTIFYING THE SPEED LIMIT AS FORTY MILES PER HOUR, ON BOB HOPE DRIVE FROM ESCHENBRENNER AVENUE TO JOE BATTLE BOULEVARD. THE PENALTY AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Representatives Escobar and Power commented.

There being no further comment, the vote was taken.

Motion duly made by Representative Escobar, seconded by Representative Sumrall, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Motion made by Representative Power, seconded by Representative Sariñana and unanimously carried to postpone one (1) week an Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code, to include an additional section identifying the speed limit as forty miles per hour, on Nolan Richardson Drive from Edgemere Boulevard to Pebble Hills Boulevard. The penalty as provided in Section 12.84.010 of the El Paso Municipal Code.

ORDINANCE 15271

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.040 (SCHEDULE IV – PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS) PARAGRAPH 12.88.040 (H) (NO PARKING, 7:00 A.M. TO 5:00 P.M.) TO REVISE AN EXISTING LOCATION AT ROSWELL STREET, BOTH SIDES, BETWEEN GATEWAY EAST BOULEVARD AND OTERO COURT. THE PENALTY AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Representatives Escobar and Power commented.

There being no further public comment, the vote was taken.

Motion duly made by Representative Escobar, seconded by Representatives Sumrall, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to postpone four (4) weeks a public hearing to determine if the property located at 704 N. Campbell Street in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of March 18, 2002, Carmen Breach De Valenzuela, 7049 Westwind Drive #1313, El Paso, Texas 79912, and also P. O. Box 13045, El Paso, Texas 79913, has been notified of the violations at this property.

.....
*Motion made, seconded and unanimously carried to postpone two (2) weeks the public hearing to determine if the property located at 105 N. Oregon St., in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of June 13th 2002, Caples Land Company L.L.C., C/O William D. Abraham, President, 717 East San Antonio Ave., El Paso, Texas 79902, has been notified of the violations at this property. As of September 17, 2002, \$77,763.55 is owed in taxes.

.....
RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 1609 James Chisum Drive, in El Paso, Texas, which property is more particularly described as follows:

Lot: 31, Block 252, Vista Del Sol Unit Forty Six Replat "A", an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 54, Page 21 and 21A, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Firstar Bank National Association, P. O. Box 20005, Owensboro, KY 42304-0005, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on October 29th, 2002; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
2. That the City Council hereby orders Owner to comply with the following requirements:
 - a. That the Building be secured within (30) days; and
 - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
 - c. That a public hearing be scheduled for January 2nd, 2003 in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
 - d. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
 - e. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
 - f. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections shall secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and
4. That said Owner shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and

- b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
 8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
 9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
 10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. the affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits & Inspections Department, presented case to Council Members and gave the Department's recommendation(s).

Representatives Cook and Rodriguez commented.

Motion made by Representatives Sumrall, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

Representatives Sumrall was not present for the vote.

.....
 Motion made by Representative Escobar, seconded by Representative Power and unanimously carried to reject the bids submitted for Bid No. 2002-210, Airfield Lighting Supplies for the Department of Aviation. The Purchasing Department and Department of Aviation recommend re-bidding since all bids received did not fully comply with the City's terms and conditions and/or bidder(s) were deemed non-responsive. This item will be re-bid as requested by the Department of Aviation.

Department: Department of Aviation

The City Clerk called for public comment. There was no public comment.

Representative Sumrall was not present for the vote.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Engineering, Police and Streets Departments be authorized to establish and implement appropriate procedures for the placement of speed humps on the City's streets under the general guidelines contained in Exhibit A attached this Resolution to the extent that funding is made available for the installation costs. (Exhibit on file with this Resolution in the City Clerk's Office).

Representative Power opened the discussion.

Representative Escobar expressed constituents concerns of speeding in their neighborhoods.

Representative Cook commented on the use of neighborhood watch programs.

Representative Cook and Representative Sumrall questioned the legal aspects that would require Citywide ordinance.

Ms. Rita Rodriguez, City Attorney, stated no ordinance was necessary.

Commander Cliff Walsh, El Paso Police Department, provided backup and answered questions.

Representatives Power, Cook and Cobos commented.

Mr. Daryl Cole, Director for Street Department, gave the particulars.

Mr. Warren Pulner, citizen, expressed his opposition to speed bumps and suggested grooves as utilized by airports.

Mr. Leopoldo Sierra, citizen, stated that the same problem exists on Pershing Drive.

Mr. Julio Norman, citizen, commented on the need for speed bumps on Kansas and Campbell streets.

Ms Lisa Turner, citizen, expressed her concerns on funding and emergency vehicles' access due to speed bumps.

Mayor Caballero addressed the funding source and the concerns of the test period.

Mr. Mario Hernandez, citizen, stated that Bob Mitchell Street has similar problems.

Motion made by Representative Cook, seconded by Representative Power and carried to approve the above Resolution.

AYES: Representatives Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos.

NAYS: Representative Sumrall.

.....
Motion made by Representative Escobar, seconded by Representatives Sumrall and unanimously carried to postpone one (1) week the discussion and action regarding the appeal by Super Store #10 (Moshe Yardeni) at 1603 George Dieter on the denial of a license for the sale of alcoholic beverages due to the business's proximity to a church and a school in accordance with Section 20.08.090(B)(1) and 20.08.090(B)(4) of the El Paso Municipal Code.

Mr. Terry Williams, Director of Building Permits and Inspections, gave the particulars of the situation.
.....

ADDITION TO THE AGENDA

Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

WHEREAS, the City of El Paso (City) is under obligation by way of collective bargaining to provide certain parking in downtown El Paso for City of El Paso Fire Department employees; to-wit: at or about the corner of Paisano and Florence in downtown; and,

WHEREAS, for several years, the City has leased Lot 14, Block 146, Campbell Addition in downtown El Paso from Warren Burns to provide said parking; and,

WHEREAS, the current lease will expire on October 31, 2002 and Mr. Burns has agreed to a new lease of the entire lot reserving one space at the rate of \$1,000.00 per month; and

WHEREAS, the City desires to enter into the parking lease with Mr. Burns for the benefit of its Fire Department personnel; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor is authorized to sign a lease between the City of El Paso (Lessee) and Warren Burns (Lessor), for Lot 14, Block 146, Campbell Addition, El Paso, El Paso County, Texas which will be used as parking facilities for City employees' vehicles reserving one space to the owner.

Representative Cobos questioned the location.

Fire Chief Mike Widtfeldt provided clarification regarding parking area for Fire Department personnel.

Representative Sumrall requested that the parking area be paved.

Mr. Ed Drusina, Director of Municipal Services, addressed paving and air quality concerns.

Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

.....:
Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF EL PASO, PURSUANT TO INTERNAL REVENUE CODE REGULATION SECTION 1.150-2(e), TO FINANCE CERTAIN EXPENDITURES TO BE INCURRED FOR YEAR 2003 BOND ACQUISITIONS FROM THE PROCEEDS OF THE SALE OF CITY TAX-EXEMPT OBLIGATIONS. (TRAFFIC SIGNAL INSTALLATION CITYWIDE)

WHEREAS, the City of El Paso, Texas (the "City") is a governmental entity authorized to issue obligations to finance its activities pursuant to the laws of the State of Texas, the interest on which is excludable from gross income for federal income tax purposes (Tax-Exempt Obligations") pursuant to Section 103 of the United States Internal Revenue Code of 1986, as amended (the "Code"); and,

WHEREAS, the City will commence installation of Traffic Signals city-wide; and,

WHEREAS, the City has concluded that it does not currently desire to issue Tax-Exempt Obligations to finance the costs associated with the acquisition of the items listed herein; and,

WHEREAS, the City reasonably expects to issue Tax-Exempt Obligations to reimburse itself the costs associated the items listed herein; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

Section 1. The City Council hereby declares the intention of the City of El Paso, Texas, pursuant to Regulation Section 1.150-2(e) of the United States Internal Revenue Code, to finance expenditures to be incurred from the proceeds of the sale of the City's Tax-Exempt Obligations.

Section 2. The City reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to a date that is sixty days prior to the date hereof and that are to be paid in connection with the acquisition of the items listed from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof.

Section 3. The City reasonably expects that the maximum principal amount of Tax-Exempt obligations issued to reimburse the City for the costs associated with the items listed herein will not exceed \$3,500,000.

Section 4. The Mayor is hereby authorized to make any necessary budget appropriations or adjustments to comply with the intent expressed in this resolution.

See discussion on prior Resolution.

Motion made by Representative Escobar, seconded by Representative Medina and carried to approve the above Resolution.

Representative Cobos voted Nay.

NOTE: This Resolution was considered together with the prior item.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in fiscal year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

DEPARTMENT ID: 51010281, ACCOUNT 501011

CONTRACTOR: Jason J. Martinez, Pool Attendant, Step 1
DATES: October 29, 2002 thru September 30, 2003
RATE PER HR: \$5.40
CONTRACT NO: 2002/2003-155

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO,

THAT the Mayor be authorized to sign an Interlocal Agreement with El Paso Community College, the Upper Rio Grande Workforce Development Board, and the Greater El Paso Chamber of Commerce for cooperation in the establishment and operation of a Transition Adjustment and Career Education (TACE)

Center within the existing Administrative and Apprentice Training Offices of El Paso Community College, to assist students with disabilities in their transition from high school to a post-secondary setting.

Representatives Power, Sumrall, and Medina provided comments.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, and Mr. Charlie McNabb, Chief Administrative Officer, responded to Council Members' questions and concerns.

Mayor Caballero added comments.

Lisa Turner, citizen, expressed her support.

Motion made by Representative Power, seconded by Representative Sumrall and unanimously carried to approve the Resolution.

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Motion made by Representative Sumrall, seconded by Representative Escobar, and carried to postpone the informative meeting on the TIF Districts until after the first City Council Meeting after the end of the Legislative Session in June 2003.

AYES: Representatives Sumrall, Rodriguez, Medina, Escobar and Sariñana.

NAYS: Representatives Cook, Power, and Cobos.

Representatives Sumrall, Medina, Cobos, Sariñana and Cook commented

Mr. Ken Schillinger, citizen and business owner, made comments in regards to the community being informed and expressed his opposition.

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No action was taken on the discussion and action in allowing the "Invest in El Paso Coalition" to be allowed to speak for 15 minutes during the public meeting pertaining to the Tax Increment Financing (TIF).
[Ken Schillinger]

Mr. Ken Schillinger, citizen and business owner, made comments on the TIFs and expressed his opposition.

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Motion made by Representative Escobar, seconded by Representative Sumrall and unanimously carried to approve the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

An Ordinance amending Ordinance No. 011439, which authorized the City of El Paso to enter into a lease agreement with Desert East Golf School, Inc., for the purpose of constructing a golf driving range facility with a clubhouse on a portion of Tract 1A, Block 1, Ascarate Grant, El Paso, El Paso County, Texas and which Ordinance was subsequently amended by Ordinance Nos. 012086, 012371, and 013114, respectively, to revise the rental schedule, the term, and the provision for utilities of such lease agreement.

PUBLIC HEARING WILL BE HELD ON NOVEMBER 12, 2002

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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Motion made by Representatives Sumrall, seconded by Representative Escobar and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

- A. Discussion and action regarding P. Burgos, 02-P-04. (551.071)
- B. Texas Commission on Environmental Quality (TCEQ) Docket No. 2001-1586-MSW (551.071)
- C. Right-of-Way Acquisition on Lee Boulevard (551.072)

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

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Motion made by Representative Medina, seconded by Representative Escobar and unanimously carried that the City be **AUTHORIZED TO FILE SUIT OR INITIATE FORECLOSURE PROCEEDINGS ON PROPERTY** located at 3204 Montana Avenue in the case Patricia Burgos, 02-P-04, as recommended by the City Attorney.

Representative Power was not present to vote.

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Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried that the City Attorney be authorized to seek a settlement in relation to Texas Commission on Environmental Quality (TCEQ) Docket No. 2001-1586-MSW, as recommended by the City Attorney's Office; and that the Mayor be authorized to sign, on behalf of the City, any related documentation.

Representative Power was not present to vote.

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Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried that the City's agent and City Attorney be authorized to make offers for right of way acquisition of Lee Blvd., as recommended by the City Attorney, and that the Mayor and City Attorney be authorized to sign any related documents.

Representative Power was not present to vote.

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Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried to adjourn this meeting at 12:13 p.m.

Representative Power was not present to vote.

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APPROVED AS TO CONTENT:



 Richarda Duffy Momsen, City Clerk